

## **AFFIRMATIVE PROCUREMENT, RECYCLING, AND WASTE/POLLUTION PREVENTION PROGRAMS**

**1. REASON FOR ISSUE.** This handbook is issued in accordance with the Department of Veterans Affairs (VA) Directives Management System, which requires all directives and handbooks to be updated every 3 years. This is a revision of VA Handbook 0052, Affirmative Procurement Program for Products Containing Recovered Materials, dated September 6, 1994. This handbook provides the most current mandatory procedures required for implementing VA's Affirmative Procurement, Recycling, and Waste/Pollution Prevention Programs in compliance with executive orders (EO) and laws reflected in VA Directive 0052, Affirmative Procurement, Recycling, and Waste/Pollution Prevention Programs.

### **2. SUMMARY OF CONTENTS/MAJOR CHANGES.**

- a. Identification of the Department of Veterans Affairs (VA), Environmental Protection Agency (EPA), and Department of Defense/Federal Energy Management Program web sites.
- b. Requirement for the inclusion of waste prevention and recycling in the daily operation of the Federal Government and working to increase and expand markets for recovered materials through greater Federal Government purchases (EO 13101, Greening The Government Through Waste prevention, Recycling, and Federal Acquisition revoked EO 12873, Federal Acquisition, Recycle, and Waste Prevention).
- c. Expansion of EPA's Comprehensive Product Guideline items (CPG) items.
- d. Energy efficient requirements in accordance with EO 13123.
- e. Designation of VA Environmental Executive, VA Deputy Environmental Executive, Environmental Analyst, and Environmental Program Advocate.
- f. Goals for waste reduction, recycling, and procurement of materials with recycled content.

**3. RESPONSIBLE OFFICE.** Deputy Assistant Secretary for Acquisition and Materiel Management (049).

**4. RELATED DIRECTIVE.** VA Directive 0052, Affirmative Procurement, Recycling, and Waste/Pollution Prevention Programs.



**5. RESCISSION.** VA Handbook 0052, Affirmative Procurement for Products Containing Recovered Materials, dated September 6, 1994.

**CERTIFIED BY:**

**BY DIRECTION OF THE SECRETARY  
OF VETERANS AFFAIRS**

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**CONTENTS**

<b>PARAGRAPH</b>	<b>PAGE</b>
1. PURPOSE	5
2. DEFINITIONS	5
3. COMPREHENSIVE PROCUREMENT GUIDELINE (CPG) ITEMS	5
4. AWARENESS PROGRAM	6
5. EDUCATION AND TRAINING	7
6. ESTIMATION, CERTIFICATION, AND VERIFICATION	7
7. WAIVERS	7
8. SPECIFICATIONS REVIEW	8
9. GOALS, MONITORING, AND ANNUAL REPORTING	8
10. MODEL FACILITIES PROGRAM	10
11. WASTE PREVENTION	10
12. RECEIPT AND DISTRIBUTION OF RECYCLING REVENUES	10







## AFFIRMATIVE PROCUREMENT, RECYCLING, AND WASTE/POLLUTION PREVENTION PROGRAMS

**1. PURPOSE.** This handbook sets forth mandatory procedures for the Department of Veterans Affairs (VA) Affirmative Procurement, Recycling, and Waste/Pollution Prevention Programs. These procedures must be followed in order to implement effective programs in accordance with the following Executive Orders (EO), laws, and regulations:

- a. EO 13101, Greening the Government Through Waste Prevention, Recycling, and Federal Acquisition.
- b. EO 13123, Greening the Government Through Efficient Energy Management.
- c. EO 13148, Greening the Government Through Leadership in Environmental Management.
- d. EO 13149, Greening the Government Through Federal Fleet and Transportation Efficiency.
- e. Office of Federal Procurement Policy Letter 92-4.
- f. Resource Conservation and Recovery Act (RCRA), Section 6002.

**2. DEFINITIONS.** Definitions can be found under “Executive Orders” (EO 13101, Greening the Government Through Waste Prevention, Recycling, and Federal Acquisition), at the following address:

<http://www.va.gov/oa&mm/recycle>

**3. COMPREHENSIVE PROCUREMENT GUIDELINE (CPG) ITEMS.** The Resource Conservation and Recovery Act (RCRA), Section 6002, requires VA to purchase EPA’s designated CPG products. Heads of VA organizations shall ensure these products are purchased in lieu of purchasing virgin material products. Efforts will be made to include these mandated products in the Department’s standardization initiative. Due to EPA’s periodic expansion of the CPG item list, as required by EO 13101, a current list can be found, along with each item’s recommended minimum content standards of recovered materials, at the following web sites:

<http://www.va.gov/oa&mm/recycle> or [www.epa.gov/cpg/products](http://www.epa.gov/cpg/products)

- a. **Biobased Products.** As defined by EO 13101 VA will give consideration to the purchase of biobased products listed by the United States Department of Agriculture (USDA).



b. **Printing and Writing Paper.** As defined in RCRA, Section 6002, and EO 13101, VA or contractors for VA will purchase printing and writing paper, (e.g., copier, computer, and office paper) that meet or exceed 30 percent post-consumer material content. If the 30 percent paper does not meet performance requirements, is not reasonably available, or costs 5 percent more than the 20 percent post-consumer material content paper, then the facility must buy the 20 percent post-consumer paper. Waivers for purchase of the preferred printing and writing paper may not be granted. As an alternative to the above requirement, a 50 percent pre-consumer content paper can be substituted.

c. **Energy Consuming Equipment.** VA contracting officers, purchasing agents, purchase card holders, and other procurement officials will, when purchasing energy consuming equipment, purchase such equipment that is compliant with EPA specifications, as denoted by the "energy star" symbols. If the energy star is unavailable for any particular energy-consuming equipment, then such equipment that is among the upper 25 percent for energy efficiency compared to similar equipment will be purchased.

d. **Energy Savings Performance Contracts.** As defined in EO 13123, VA entities should pursue energy savings performance contracts, utility energy efficiency services, and other available financial mechanisms when the opportunities exist.

e. **Environmentally Preferable Motor Vehicle Products.** As defined in EO 13149 and consistent with EO 13101, VA entities will:

(1) Purchase re-refined motor vehicle lubricating oils when reasonably available and they meet the vehicle manufacturer's recommended performance standards.

(2) Acquire and use EPA-designated CPG items, including but not limited to retread tires, when such products are reasonably available and meet applicable performance standards.

(3) Give consideration to acquiring other recycled content products, such as tires containing a minimum of 5-10 percent post-consumer recovered rubber.

**4. AWARENESS PROGRAM.** The VA's Assistant Secretary for Management, Environmental Executive (EE) is responsible for actively promoting the Department's policy to buy recycled products by:

a. Periodically announcing VA's recovered materials preference program in trade publications, recycling journals, and procurement publications.

b. Providing pertinent environmental information and materials to VA acquisition, purchase card, and contracting activities.

c. Providing vendor and product information from the General Services Administration (GSA) Federal Supply Schedule or other established Federal supply sources to procurement offices and outside vendors.



**5. EDUCATION AND TRAINING.** The EE, through the Deputy EE, is responsible for providing education and training to all VA employees as indicated below:

- a. Acquisition training conferences, symposiums, and seminars.
- b. Logistical symposiums and other training opportunities.
- c. Material Management conferences, symposiums, and seminars.
- d. Contracting and purchase card holder training, symposiums, and seminars.

**6. ESTIMATION, CERTIFICATION, AND VERIFICATION**

**a. Estimation**

(1) Procurement offices will require vendors to provide an estimate of the total recycled content of their products and certify that the recycled content will meet minimum content standards (recycled content is usually measured as a percentage of the total content) on EPA CPG-designated items. The minimum content standards for designated items shall be specified in the Statement of Work. Vendors that respond to bids for EPA-designated items must meet the minimum content standards; therefore, a separate estimate from the vendor regarding the percentage of recovered material in the product is not required unless the product exceeds the specified minimum content standards.

(2) Contracting officers are required to keep estimates for no less than 3 years.

(3) Contracting officers shall ensure that Federal Acquisition Regulation clause 52.223-4, Recovered Material Certification, is included in all solicitations that incorporate specifications requiring the use of recovered materials.

**b. Certification.** Vendors are responsible for:

(1) Providing written certification to the contracting officer that their products meet minimum content standards.

(2) Maintaining copies of certification documents.

(3) Producing copies of the written certification upon request by VA.

**c. Verification.** The VA EE shall periodically review vendor certification documents as part of the annual review and monitoring process to verify compliance.

**7. WAIVERS**

a. The non-paper requirements of VA Directive 0052 may be waived if a determination has been made that:



(1) Items produced with recovered or recycled materials do not meet the reasonable performance standards set forth in the specifications.

(2) Obtaining items with recovered or recycled materials will result in unreasonable delivery delays.

(3) The price of items with recovered or recycled materials is unreasonably above the percent of the price of virgin material.

(4) The requirement for items produced with recovered or recycled materials results in inadequate competition.

b. VA Form 0232, Procurement Request For CPG Items Containing Recovered Materials, will be used and completed when requesting waivers. The contracting officer will include the certification in the contract file with the purchase request and forward a copy to the Department EE within 30 days of receipt for annual reporting purposes.

**8. SPECIFICATIONS REVIEW.** Program offices will review and revise current contract specifications, product descriptions, and standards during the acquisition planning stage to enhance VA procurement of recycled, "energy star," and environmentally preferable products and services. Contracts, standards, or specifications that present barriers to the procurement of these products or services should be revised or eliminated when reviewing or drafting procurement specifications. When using Commercial Item Descriptions (CID) during procurement actions, Department program offices and contractors shall ensure that environmental factors have been considered and the CID meets or exceeds the environmentally preferred criteria of the Government specification or product description.

## **9. GOALS, MONITORING, AND ANNUAL REPORTING**

### **a. Goals**

(1) In accordance with EO 13101, Greening the Government Through Waste Prevention, Recycling, and Federal Acquisition, VA will establish environmental goals that are reasonable and measurable in waste prevention, recycling, and acquisition of products made with recovered materials. VA will also establish long-range goals for the same requirements to be achieved by the years 2005 and 2010. The Administrations and staff offices will assist the VA EE in establishing, monitoring, and yearly reporting of the Departmentwide environmental goals. Upon request, the Department's EE will report annually to the Office of the Federal EE.

(2) Heads of VA Administrations and staff offices will ensure that VA environmental goals are communicated to all employees, starting with contracting officers, purchasing agents, credit card holders, supply requesting generators, facility recycling coordinators, environmental management staff, materiel management staff, and other appropriate staff.



(3) VA Administrations and staff offices will attain the following goals:

(a) Waste Prevention Goals:

1. FY 2000 – 5 percent reduction
2. FY 2005 – 20 percent reduction
3. FY 2010 – 40 percent reduction

(b) Recycling Goals:

1. FY 2000 – 5 percent
2. FY 2005 – 20 percent
3. FY 2010 – 40 percent

(c) Purchase of EPA's Designated CPG Items:

1. FY 2000 – 5 percent
2. FY 2005 – 100 percent
3. FY 2010 – 100 percent

b. **Monitoring.** VA Administrations and staff offices will develop and maintain statistics, e.g., tonnage, and dollar amounts on facility waste, hazardous waste, and recycling. Additionally, statistics will also be developed and maintained for contracts and purchases of EPA's CPG-designated products, environmentally preferable products, and energy-using equipment.

c. **Annual Reporting**

(1) Heads of VA Administrations and staff offices will ensure that annual reporting requirements are conveyed to the appropriate employees, including contracting officers, purchasing agents, credit card holders, supply requesting generators, facility recycling coordinators, environmental management staff, materiel management staff and other appropriate staff. Reporting information consists of the Department's environmental goals, facility waste, hazardous waste, recycling, requirement for purchasing EPA's CPG designated products and energy-efficient products.

(2) The VA Administrations and staff offices are responsible for reporting annually to the VA Environmental Executive on waste, recycling and purchases of EPA CPG-designated items, as requested on the annual standard format submitted by the Office of Federal Procurement Policy and the Federal Environmental Executive. The report will contain information on VA facility compliance with requirements to enhance waste prevention, recycling, and procurement of recycled and environmentally preferable products. Facility directors must also justify why EPA's CPG-designated products have not been purchased or submit a plan for increasing the facility purchases for the EPA CPG-designated product(s).



(3) The VA Environmental Analyst, by the direction of the VA EE, will disseminate, distribute, and coordinate electronically all requested reports received from the Office of Federal Procurement Policy to the appropriate VA Heads and other staff offices in a timely manner. Organizational reports will be consolidated into one VA report and submitted to the Office of Federal Procurement Policy and the Federal Environmental Executive electronically as requested.

**10. MODEL FACILITIES PROGRAM.** The VA EE will ensure establishment of model facility demonstration programs that include comprehensive waste/pollution prevention and recycling programs, and emphasize the procurement of recycled and environmentally preferable products and services.

**11. WASTE PREVENTION.** To promote waste prevention throughout the Department, employees are strongly encouraged to use such techniques as electronic transfer and double-sided copying of all documents. Contracts, grants, and cooperative agreements shall include provisions that require documents be printed double-sided on recycled paper meeting or exceeding VA paper preference standards. Contracting offices shall use electronic data interchange acquisition systems to the maximum extent feasible. Electronic acquisition systems will also foster accurate data collection and reporting of VA purchases of recycled content and environmentally preferable products.

**12. RECEIPT AND DISTRIBUTION OF RECYCLING REVENUES.** To encourage increased recycling efforts within the Department, facility directors are herewith authorized to receive and distribute recycling revenues. The revenues will be used to stimulate, encourage, and promote recycling, in accordance with uses as specified under Public Law 103-329, section 608 (see Office of Financial Policy Bulletin 95GA1-1 for VA policy guidance).